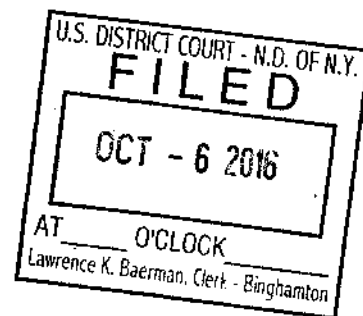


UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA and the
STATE OF NEW YORK *ex rel.* Catherine Lembo,

Plaintiff,

v.

ST. JOSEPH'S HOSPITAL HEALTH CENTER,

Defendant.

Civil Action No. 5:14-CV-850
(TJM/ATB)

JOINT STIPULATION OF PARTIAL DISMISSAL

Subject to the terms and conditions of the New York State Settlement Agreement (ECF 16), and pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, the State of New York (the "State") and the relator agree as follows (a) all claims for the Covered Conduct as defined in the State Settlement Agreement are dismissed with prejudice as to the State, and all other claims are dismissed without prejudice to the State, and (b) all claims are dismissed with prejudice as to the relator except for relator's claims for reasonable attorneys' fees, costs, and expenses pursuant to New York State Finance Law §190(6)(a), which shall remain pending.

The State and relator further stipulate that this Court shall have continuing jurisdiction to issue an order with regard to payment of reasonable expenses necessarily incurred and reasonable attorneys' fees and costs.


Signatures to appear on the following page.

Respectfully submitted,

ERIC T. SCHNEIDERMAN
New York State Attorney General


JILL D. BRENNER
Special Assistant Attorney General
Bar Roll No. 520205

THOMAS & SOLOMON, LLP


NELSON THOMAS, Esq.
MICHAEL J. LINGLE, Esq.
JONATHAN W. FERRIS, Esq.

Pursuant to stipulation, it is SO ORDERED

10/5/16


Hon. Thomas J. McAvoy
Senior United States District Judge